SCOPE: Faculty, Staff, Students, and Guests

1. POLICY STATEMENT

Lamar Institute of Technology (LIT) is committed to providing equal access to all users of its electronic and information resources (EIR), including persons with disabilities. Ensuring EIR are accessible is required by state and federal laws and supports the success of LIT's mission.

2. DEFINITIONS

2.1.   A listing of initialisms used in this and other information resources policies can be found in Appendix A.

2.2.   A glossary with definitions of terms used in this and other information resources policies can be found in Appendix B.

3. APPLICABILITY

3.1.   This policy applies to:

3.1.1.   EIR developed, procured, acquired, or materially changed by LIT, whether by an LIT employee or third party acting as an agent of or on behalf of LIT, or through a procured services contract.

3.1.2.   EIR services provided through hosted or managed services contracts.

3.1.3.   EIR developed, procured, acquired, or materially changed by a contractor under a contract with LIT which requires the use of such product or requires the use, to a significant extent, of such product in the performance of a service or the furnishing of a product.

3.1.4.   Documentation and services that support the use of applicable EIR.

3.1.5.   Web content and mobile applications subject to compliance with Title II of the Americans with Disabilities Act.

3.2.   This policy does not apply to:

3.2.1.   EIR that have been exempted by the Texas Department of Information Resources (DIR), a list of which is posted on the Texas DIR website.

3.2.2.   Status indicators and operable parts of EIR hardware located in maintenance or monitoring spaces, and where status indicators and operable parts are located in

spaces that are frequented only by service personnel for maintenance, repair, or occasional monitoring of equipment.

    3.2.3. Medical equipment in which electronic and information resources are integral to operation.

    3.2.4. Equipment that contains embedded information resources that are used as an integral part of the product, but the principal function of which is not the acquisition, storage, manipulation, management, movement, control, display, switching, interchange, transmission, or reception of information.

3.3. EIR that complies with previous accessibility standards set forth in 1 Tex. Admin. Code §206.70 or 1 Tex. Admin. Code §213 shall not be required to conform to revised standards, provided that the user interface has not been altered on or after April 18, 2020.

4. ROLES AND RESPONSIBILITIES

4.1. *Lamar Institute of Technology President.* The LIT President has the following responsibilities, which may be delegated:

    4.1.1. Designate an EIR Accessibility Coordinator to facilitate institution-wide EIR accessibility compliance and practices in support of this policy.

    4.1.2. Inform DIR within 30 days whenever the EIR Accessibility Coordinator position is vacant or a new/replacement EIR Accessibility Coordinator is designated.

    4.1.3. Ensure appropriate staff receive training necessary to meet EIR accessibility-related requirements.

    4.1.4. Approve requests for exception as per Section 8 of this policy.

4.2. *EIR Accessibility Coordinator.* The EIR Accessibility Coordinator is the central point of contact concerning accessibility issues and solutions for LIT's EIR. The EIR Accessibility Coordinator serves in a coordinating and facilitating role, with responsibilities that include the following:

    4.2.1. Develop, support, and maintain EIR accessibility policies, standards, and procedures.

    4.2.2. Process EIR accessibility exception requests and maintain records of approved exceptions.

    4.2.3. Maintain documentation of accessibility testing validation procedures and results.

    4.2.4. Develop and support a plan by which EIR (including websites and web applications) will be brought into compliance. The plan shall include a process for

corrective actions to remediate non-compliant items, compliance goals, and a method of measuring progress measurement towards those goals.

    4.2.5. Facilitate a response to concerns, complaints, reported issues, and Texas DIR surveys.

    4.2.6. Facilitate the development or acquisition of training solutions necessary to meet EIR accessibility-related requirements.

4.3. Unit Heads and EIR Owners

    4.3.1. Each administrative and academic Unit Head is the default designated EIR owner for all EIR owned and/or operationally supported by the unit.

    4.3.2. Unit Heads may designate appropriate functional leads as EIR owners.

    4.3.3. EIR owners shall ensure compliance with this policy. Operational responsibility for compliance with this policy may be delegated by the EIR owner to appropriate personnel within the unit.

5. GENERAL

5.1. Lamar Institute of Technology is required to comply with EIR accessibility standards and requirements in 1 Tex. Admin. Code §206 and 1 Tex. Admin. Code §213.

5.2. Excepting EIR specifically mentioned in Section 9 of this policy, when compliance cannot be accomplished for an EIR, an alternative design or technology may be used provided it results in substantially equivalent or greater access for people with disabilities.

6. PROCUREMENT AND ACQUISITION

6.1. LIT is required to make procurement decisions and utilize contract language that supports the acquisition of accessible EIR products and services.

6.2. LIT shall require vendors to provide documented accessibility information for EIR products or services. If credible accessibility documentation cannot be provided by the vendor, the product or service shall be considered noncompliant. Acceptable forms of documentation include:

    6.2.1. Voluntary Product Accessibility Template (VPAT) or equivalent reporting template.

    6.2.2. Credible evidence of the vendor's capability or ability to produce accessible EIR products and services. Such evidence may include, but is not limited to, a vendor's internal accessibility policy documents, contractual warranties for accessibility, accessibility testing documents, and examples of prior work results.

6.3. LIT shall monitor contracts and accessibility-related procurement processes for compliance with this policy.

6.4. LIT must contractually require the manufacturer of telecommunications equipment or provider of telecommunications services to ensure that the equipment or services are compliant with 47 U.S.C. §255 and 36 C.F.R. §1194.2, Appendix B, when such products are readily available or compliance is achievable.

7. ACCESSIBILITY TESTING AND VALIDATION

7.1. Accessibility testing shall be coordinated with the EIR Accessibility Coordinator.

7.2. New and modified web EIR shall be tested using one or more EIR accessibility validation tools to validate compliance with accessibility requirements. Tools include, but are not limited to, automated methods, manual methods, and assistive technologies.

7.3. Accessibility testing shall be performed and documented by a knowledgeable LIT employee or third party testing resource to validate compliance with 1 Tex. Admin. Code §206.70 and 1 Tex. Admin. Code §213 on all information resources technology projects for which development cost exceeds $500,000 and that meet one or more of the following criteria:

   7.3.1. Requires one year or longer to reach operations status

   7.3.2. Involves more than one institution of higher education or state agency.

   7.3.3. Substantially alters work methods or the delivery of services to clients.

7.4. Accessibility testing and validation procedures and their results shall be documented, and a copy provided to the EIR Accessibility Coordinator in a timely manner.

8. WEB CONTENT AND MOBILE APPLICATION ACCESSIBILITY

8.1. Web content and mobile applications must comply 1 Tex. Admin. Code §206.70 and 1 Tex. Admin. Code §213, Title II of the Americans with Disabilities Act, and this policy.

8.2. When compliance cannot be accomplished, an alternative version of the EIR must be provided. The alternative version must have equivalent information or functionality and must be updated when the primary web EIR changes.

8.3. The LIT home page must include an Accessibility link to a web page that contains LIT's website accessibility policy statement, site validation standard, contact information for LIT's EIR Accessibility Coordinator, and a link to the Governor's Committee on People with Disabilities web site.

8.4. LIT web sites shall be monitored for compliance with this policy.

8.5. Institute websites shall be scanned periodically (at least quarterly) using an appropriate validation tool.

8.6. Detailed validation reports shall be distributed to appropriate unit heads and EIR owners.

8.7. Compliance reports shall be distributed to executive management.

8.8. Based on a request for accommodation, the college must consider captioning and alternative forms of accommodations for video or live/real time open meetings posted on its websites.

9. EXCEPTIONS

9.1. An exception from this policy may be granted under certain circumstances, based on risk. The exception process should be completed prior to the procurement, acquisition, completion, use, or deployment of the EIR or at the point non-compliance with required accessibility standards is identified if the vendor is unable to immediately remedy the issue.

9.2. The following exceptions are pre-approved by the President and may be issued by the EIR Accessibility Coordinator without the need for formal exception:

9.2.1. Blanket exceptions apply when the EIR is determined to affect 10 or fewer employees and 10 or fewer students or guests.

9.2.2. Single user exceptions apply when the EIR is determined to be used by a single user.

9.2.3. Title II exceptions apply when the EIR is specifically excepted in Title II of the Americans with Disabilities Act.

9.3. Formal exceptions apply for all other cases in which EIR is unable to comply with this policy.

9.4. Exception requests shall be submitted to the EIR Accessibility Coordinator for review and processing.

9.5. Approval of formal exception requests is delegated to the Information Resources Manager unless:

9.5.1. the EIR is mission critical to the institution;

9.5.2. compliance imposes a significant difficulty or expense; or

9.5.3. the cost of the EIR exceeds $500,000.

9.6. Documentation for approved exceptions shall be retained as per the appropriate records retention schedule.

Related Procedures:

Relevant Forms/Documents:

Relevant TSUS Policies/Forms/Documents: Texas State University System Policies

Relevant Statutes: 1 Tex. Admin. Code §206.70; 1 Tex. Admin. Code §213; Texas Government Code §2054.456-464; Americans with Disabilities Act; Section 508 Requirements and Standards (36 CFR, Section 1194); Web Content Accessibility Guidelines (WCAG) 2

Relevant SACSCOC Standards:

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